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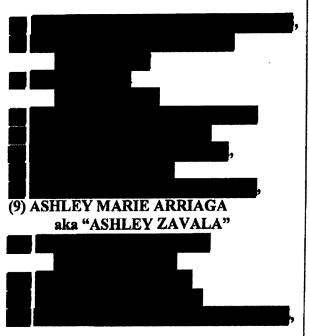
DEPUTY

### UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.



Defendants.

5:23-CR-00306-JKP

#### Superseding Indictment

COUNT 1: 21 U.S.C. §§ 846, 841(a)(1), & (b)(1)(A)/(C)
Conspiracy to Possess with Intent to
Distribute Fentanyl

COUNT 2: 21 U.S.C. §§ 846, 841(a)(1), & (b)(1)(A)/(C)
Conspiracy to Possess with Intent to
Distribute Methamphetamine

COUNT 3: 18 U.S.C. § 1956(h). Conspiracy to Commit Money Laundering

COUNT 4: 21 U.S.C. §§ 841(a)(1) & (b)(1)(A) & 18 U.S.C. § 2
Possession with Intent to Distribute
Methamphetamine

COUNTS 5-6: 21 U.S.C. §§ 841(a)(1) & (b)(1)(A)/(C) & 18 U.S.C. § 2
Possession with Intent to Distribute Fentanyl

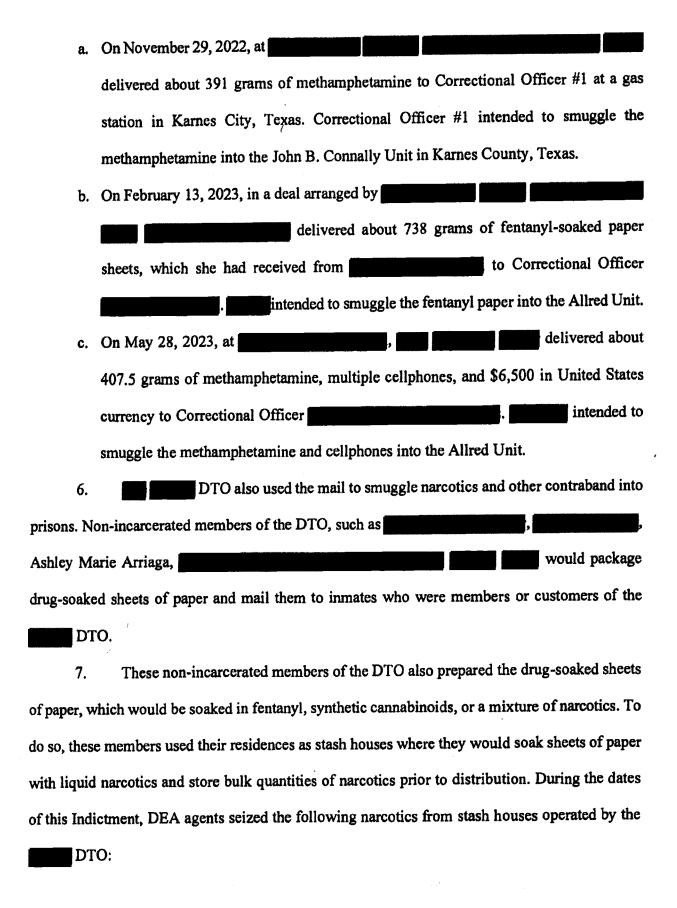
COUNT 7-8: 21 U.S.C. §§ 841(a)(1) & (b)(1)(A)/(C) & 18 U.S.C. § 2
Possession with Intent to Distribute
Methamphetamine

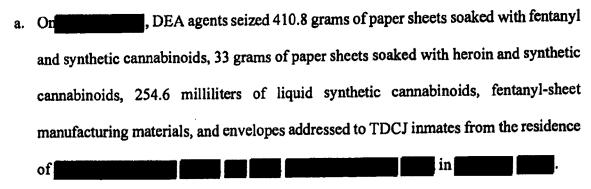
COUNT 9: 18 U.S.C. §§ 1028(a)(7) & (b)(3)(A) & 18 U.S.C. § 2 Identity Theft

#### THE GRAND JURY CHARGES:

INTRODUCTION		
1. The Drug Trafficking Organization DTO) trafficked fentanyl,		
methamphetamine, and synthetic cannabinoids into Texas Department of Criminal Justice		
correctional facilities across Texas, using correctional officers and the mail to smuggle narcotics,		
cellphones, and other contraband into the correctional facilities.		
2. The leader of the organization, and the state of the incarcerated at		
the TDCJ James V Allred Unit located in North Iowa Park, Texas. To direct and coordinate the		
organization's drug trafficking activity, and other inmates, such as		
, used contraband cellphones that had been smuggled into the correctional		
facilities.		
3. DTO obtained its narcotics from multiple different sources of supply.		
One source of supply, supplied the DTO with bulk amounts of liquid fentanyl and		
fentanyl-soaked paper sheets. Another, a Mexico-based source of supply, supplied the DTO with		
kilogram-quantities of fentanyl and methamphetamine.		
4. To smuggle narcotics into correctional facilities, the DTO employed		
correctional officers working at the facilities, such as		
The correctional officers would meet with non-incarcerated		
members of the DTO, such as and		
receive narcotics, cellphones, and other contraband. The correctional officers would then smuggle		
the narcotics and contraband into the correctional facilities where they worked. These correctional		
officers were often paid thousands of dollars for their smuggling services.		

5. During the dates in this Indictment, correctional officers employed by the DTO attempted to smuggle narcotics into TDCJ correctional facilities on the following occasions:



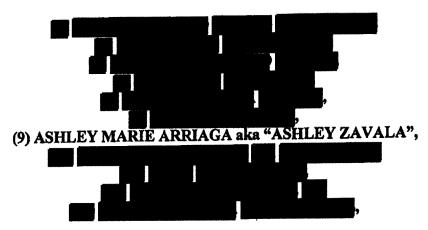


- b. On DEA agents seized 111 grams of paper sheets soaked with fentanyl and synthetic cannabinoids, 91 grams of paper sheets soaked with heroin and synthetic cannabinoids, and fentanyl-sheet manufacturing materials from the residence of in
- 8. Inmate members of the DTO would sell the narcotics smuggled into their correctional facilities to other inmates. Members of the DTO could sell a single sheet of drug-soaked paper for up to \$1,000 once smuggled into the correctional facility.
- 9. To receive payment for the narcotics that they distributed, inmate members of the DTO used peer-to-peer payment platforms, such as CashApp and Zelle. The inmates would then use these peer-to-peer payment platforms to transfer the narcotics proceeds to non-incarcerated members of the DTO who would deposit the funds into banks. During the dates in the Indictment, transferred about \$332,854.02 to her JPMorgan Chase bank account from peer-to-peer payment platforms.

### COUNT ONE [Conspiracy to Possess with Intent to Distribute Fentanyl] [21 U.S.C. §§ 846, 841(a)(1), & (b)(1)(A)/(C)]

That beginning on or about January 2022, the exact date unknown, and continuing until the date of this indictment, in the Western District of Texas, the Eastern District of Texas, the Northern

District of Texas, the Southern District of Texas, and elsewhere, Defendants,



knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed with others, to commit the following offense against the United States: possession with intent to distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide, also known as fentanyl, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 846, 841(a)(1), & (b)(1)(A)/(C).

#### QUANTITY OF CONTROLLED SUBSTANCE INVOLVED IN THE CONSPIRACY

The quantity of the mixture or substance containing a controlled substance involved in the conspiracy and attributable to each Defendant as a result of each Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to each Defendant is as follows:

DEFENDANT	QUANTITY
	400 grams or more of a mixture or substance containing a detectable amount of fentanyl;
	400 grams or more of a mixture or substance containing a detectable amount of fentanyl;
	400 grams or more of a mixture or substance containing a detectable amount of fentanyl;

	400 grams or more of a mixture or substance containing a detectable amount of fentanyl;
	400 grams or more of a mixture or substance containing a detectable amount of fentanyl;
	400 grams or more of a mixture or substance containing a detectable amount of fentanyl;
(9) Ashley Marie Arriaga	A mixture or substance containing a detectable amount of fentanyl;
	A mixture or substance containing a detectable amount of fentanyl;
	A mixture or substance containing a detectable amount of fentanyl;
	A mixture or substance containing a detectable amount of fentanyl;
	A mixture or substance containing a detectable amount of fentanyl;

All in violation of Title 21, United States Code, Section 846.

## COUNT TWO [Conspiracy to Possess with Intent to Distribute Methamphetamine] [21 U.S.C. §§ 846, 841(a)(1), & (b)(1)(A)/(C)]

That beginning on or about January 2022, the exact date unknown, and continuing until the date of this indictment, in the Western District of Texas, the Northern District of Texas, and elsewhere, Defendants,



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knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed with others, to commit the following offense against the United States: possession with intent to distribute a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 846, 841(a)(1), & (b)(1)(A)/(C).

#### QUANTITY OF CONTROLLED SUBSTANCE INVOLVED IN THE CONSPIRACY

The quantity of the mixture or substance containing a controlled substance involved in the conspiracy and attributable to each Defendant as a result of each Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to each Defendant is as follows:

DEFENDANT	QUANTITY
	A mixture of substance containing a detectable amount of methamphetamine;
	50 grams or more of methamphetamine;
	or more of methamphetamine;
	50 grams or more of methamphetamine;
	50 grams or more of methamphetamine;
	50 grams or more of methamphetamine;

All in violation of Title 21, United States Code, Section 846.

# COUNT THREE [Conspiracy to Commit Money Laundering] [18 U.S.C. § 1956(h)]

That beginning on or about January 2022, the exact date unknown, and continuing until the date of this indictment, in the Western District of Texas, the Northern District of Texas, the Southern District of Texas, and elsewhere, Defendants,



knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed together, and with others, to commit the following offenses against the United States in violation of Title 18, United States Code, Section 1956, that is, to conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce involving the proceeds of specified unlawful activity, that is, conspiracy to possess with intent to distribute fentanyl and methamphetamine, with the intent to promote the carrying on of said specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i), all in violation of Title 18, United States Code, Section 1956(h).

# COUNT FOUR [Possession with Intent to Distribute Methamphetamine] [21 U.S.C. §§ 841(a)(1) & (b)(1)(A) & 18 U.S.C. § 2]

That on or about November 29, 2022, in the Western District of Texas, Defendants,



aided and abetted by each other, and others, did knowingly, intentionally, and unlawfully, possess with intent to distribute a controlled substance, which offense involved 50 grams or more of

methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(A), and Title 18, United States Code, Section 2.

# [Possession with Intent to Distribute Fentanyl] [21 U.S.C. §§ 841(a)(1) & (b)(1)(A) & 18 U.S.C. § 2]

That on or about February 12, 2023 through February 13, 2023, in the Western and Northern Districts of Texas, Defendants,



aided and abetted by each other, and others, did knowingly, intentionally, and unlawfully, possess with intent to distribute a controlled substance, which offense involved 400 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide, also known as fentanyl, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(A), and Title 18, United States Code, Section 2.

### [Possession with Intent to Distribute Fentanyl] [21 U.S.C. §§ 841(a)(1) & (b)(1)(C) & 18 U.S.C. § 2]

That on or about February 12, 2023 through February 13, 2023, in the Western and Northern Districts of Texas, Defendants,



aided and abetted by each other, and others, did knowingly, intentionally, and unlawfully, possess with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide, also known as fentanyl, a Schedule II Controlled Substance, in violation of Title 21, United States

Code, Sections 841(a)(1) & (b)(1)(C), and Title 18, United States Code, Section 2.

# COUNT SEVEN [Possession with Intent to Distribute Methamphetamine] [21 U.S.C. §§ 841(a)(1) & (b)(1)(A) & 18 U.S.C. § 2]

That on or about May 27 to May 28, 2023, in the Western and Northern Districts of Texas, Defendants,



aided and abetted by each other, and others, did knowingly, intentionally, and unlawfully, possess with intent to distribute a controlled substance, which offense involved 50 grams or more of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(A), and Title 18, United States Code, Section 2

# COUNT EIGHT [Possession with Intent to Distribute Methamphetamine] [21 U.S.C. §§ 841(a)(1) & (b)(1)(C) & 18 U.S.C. § 2]

That on or about May 27 to May 28, 2023, in the Western and Northern Districts of Texas, Defendant,

aided and abetted by others, did knowingly, intentionally, and unlawfully, possess with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(C), and Title 18, United States Code, Section 2

# COUNT NINE [Identity Theft] [18 U.S.C. §§ 1028(a)(7) & (b)(3)(A) & 18 U.S.C. § 2]

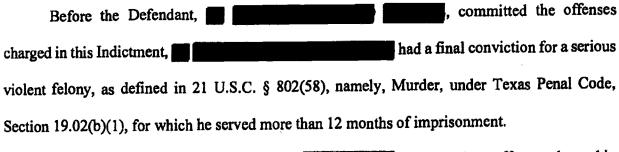
That on or about February 28, 2023 to March 6, 2023, in the Western District of Texas and

the Northern District of Texas, Defendants,

# (9) ASHLEY MARIE ARRIAGA aka "ASHLEY ZAVALA",

aided and abetted by each other, and others, did knowingly transfer, possess, and use, in or affecting interstate or foreign commerce, without lawful authority, a means of identification of another person, that is, their name, date of birth, and social security number, knowing that the means of identification belonged to another actual person, with the intent to commit, or to aid or abet, or in connection with, any unlawful activity that constitutes a violation of Federal law, that is, Conspiracy to Possess with Intent to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 846 & 841(a)(1), and the offense was committed to facilitate a drug trafficking crime as defined under 18 U.S.C. § 929(a)(2), in violation of Title 18, United States Code, Sections 1028(a)(7), (b)(3)(A), & 2.

#### NOTICE OF PENALTY ENHANCEMENTS 121 U.S.C. § 8511



Before the Defendant, had a final conviction for a serious violent felony, as defined in 21 U.S.C. § 802(58), namely, Aggravated Robbery, under Texas Penal Code, Section 29.03, for which he served more than 12 months of imprisonment.

Before the Defendant, committed the offenses charged in this Indictment, had a final conviction for a

serious violent felony, as defined in 21 U.S.C. § 802(58), namely, Aggravated Robbery, under Texas Penal Code, Section 29.03, for which he served more than 12 months of imprisonment.

#### NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE [See Fed. R. Crim. P. 32.2]

I.

Drug Violations and Forfeiture Statutes
[Title 21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(A)/(C), subject to forfeiture
pursuant to Title 21 U.S.C. § 853(a)(1) and (2)]

As a result of the foregoing criminal violations set forth above, the United States gives notice to the Defendants of its intent to seek the forfeiture of the property described below upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 21 U.S.C. § 853(a)(1) and (2), which states:

#### Title 21 U.S.C. § 853. Criminal forfeitures

(a) Property subject to criminal forfeitures.

Any person convicted of a violation of this subchapter or subchapter II punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law.--

- (1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation; ...

#### II.

# Money Laundering Violation and Forfeiture Statutes [Title 18 U.S.C. §§ 1956(h), subject to forfeiture pursuant to Title 18 U.S.C. § 982(a)(1)]

As a result of the foregoing criminal violation set forth above, the United States of America gives notice to the Defendants of its intent to seek the forfeiture of the property described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 982(a)(1), which states:

#### Title 18 U.S.C. § 982. Criminal forfeiture

(a)(1) The court, in imposing sentence on a person convicted of an offense in violation of section 1956... shall order that the person forfeit to the United States any property, real or personal, involved in such offense, or any property traceable to such property.

#### III.

# Identity Theft Violations and Forfeiture Statutes [Title 18 U.S.C. § 1028(a)(7), (b)(3)(A), subject to forfeiture pursuant to Title 18 U.S.C. §§ 1028(b)(5) and 982(a)(2)(B)]

As a result of the foregoing criminal violations set forth above, the United States of America gives notice to the Defendant of its intent to seek the forfeiture of the property described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. §§ 1028(b)(5) and 982(a)(2)(B), which state:

### Title 18 U.S.C. § 1028 Fraud and related activity in connection with identification document, authentication features and information

- (b) The punishment for an offense under subsection (a) of this section is—
  - (5) in the case of any offense under subsection (a), forfeiture to the United State of any personal property used or intended to be used to commit the offense; and . . .

#### Title 18 U.S.C. § 982. Criminal forfeiture

- (a)(2) The court, in imposing sentence on a person convicted of a violation of, or a conspiracy to violate—
  - (B) section . . . 1028 . . . of this title, shall order that the person forfeit to the United States any property constituting, or derived from, proceeds the person obtained directly or indirectly, as the result of such violation.

This Notice of Demand for Forfeiture includes, but is not limited to, the following:

- 1. \$6,500.00, more or less, in United States Currency;
- 2. Any and all property, real or personal involved in or used in the commission of the criminal offenses.
- 1. Any and all funds in Texas Department of Criminal Justice Trust Fund Bank Account
- 2. Any and all property, real or personal involved in or used in the commission of the criminal offenses.

1. \$3,851.00, more or less, in United States Currency;

2. Any and all property, real or personal involved in or used in the commission of the criminal offenses.

3. \$12,589.00, more or less, in United States Currency;

- 4. Any and all property, real or personal involved in or used in the commission of the criminal offenses.
- 1. Any and all funds in Chase Bank Account Number xxxxxx7576;
- 2. Any and all funds in Woodforest Bank Account Number xxxxxx2999; and
- 3. Any and all property, real or personal involved in or used in the commission of the criminal offenses.

1. \$3,851.00, more or less, in United States Currency;

2. Any and all property, real or personal involved in or used in the commission of the criminal offenses.

FOREPERSON OF THE GRAND JURY

JAIME ESPARZA
UNITED STATES ATTORNEY

BY:

FOR BRIAN NOWINSKI

Assistant United States Attorney